

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**SECOND AMENDED<sup>2</sup> NOTICE OF AGENDA FOR HEARING ON JANUARY 24, 2024  
AT 10:00 A.M. (PREVAILING EASTERN TIME<sup>3</sup>) BEFORE THE HONORABLE  
THOMAS M. HORAN IN THE U.S. BANKRUPTCY COURT FOR THE DISTRICT OF  
DELAWARE**

**This hearing will be conducted before the Honorable Thomas M. Horan, in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5th Floor, Courtroom No. 5, Wilmington, Delaware 19801. All parties are expected to attend in person.**

**Participants wishing to appear electronically must register at the link below no later than January 23, 2024 at 4:00 p.m. (prevailing Eastern Time).**

**<https://ecf.deb.uscourts.gov/cgi-bin/nysbAppearances.pl>**

**RESOLVED MATTERS**

1. Debtors' Third Motion for Entry of an Order (I) Authorizing Abandonment of Property and (II) Granting Related Relief [Filed January 10, 2024, Docket No. [1117](#)].

**Response Deadline:** January 17, 2024 at 4:00 p.m. [ET].

**Responses Received:** None.

**Related Documents:**

- a. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Authorizing Abandonment of Property and (II) Granting Related Relief [Filed January 19, 2024, Docket No. [1163](#)].
- b. [SIGNED] Order (I) Authorizing Abandonment of Property and (II) Granting Related Relief [Filed January 22, 2024, Docket No. [1183](#)].

<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

<sup>2</sup> Amended items are located under "Additional Documents."

<sup>3</sup> All motions and other pleadings referenced herein are available online at the following web address: <https://cases.stretto.com/Amyris>.

**Status:** This matter has been resolved.

**MATTERS HELD IN ABEYANCE PENDING CONFIRMATION**

2. Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. § 1104(C) [Filed November 11, 2023, Docket No. [651](#)].

**Response Deadline:** December 22, 2023 at 4:00 p.m. [ET]. The response deadline was been extended to December 6, 2023.

**Responses Received:**

- a. Debtors' Objection to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. 1104(C) [Filed December 6, 2023, Docket No. [827](#)].
- b. Joinder of the Ad Hoc Noteholder Group to Debtors' Objection to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. 1104(C) [Filed December 6, 2023, Docket No. [833](#)].
- c. Objection of the Official Committee of Unsecured Creditors to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. § 1104(C) and Joinder to the Debtors' Objection to the Motion of the Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. § 1104(C) [Filed December 6, 2023, Docket No. [838](#)].

**Related Documents:**

- a. Amended Notice of Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. § 1104(C) [Filed November 1, 2023, Docket No. [657](#)].
- b. Declaration of Steven W. Golden in Support of Debtors' Objection to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. 1104(C) [Filed December 6, 2023, Docket No. [829](#)].

**Status:** The matter is not going forward at this time.

3. [SEALED] Debtors' Objection to Claim Nos. 663 and 666 Filed by Lavvan, Inc. [Filed December 7, 2023, Docket No. 839].

**Response Deadline:** November 10, 2023 at 4:00 p.m. [ET]. The response deadline was extended to December 22, 2023 pursuant to the Scheduling Order.

**Responses Received:**

- a. [SEALED] Response of Lavvan, Inc. to the Debtors' Claim Objection [Filed December 27, 2023, Docket No. 1012].

**Replies:**

- a. Debtors' Reply in Support of Objection to Claim Nos. 663 and 666 [Filed January 5, 2024, Docket No. [1098](#)].

**Related Documents:**

- a. [SIGNED] Order Establishing Schedule and Protocols in Connection with (1) Debtors' Objection to Claim Nos. 663 and 666 Filed by Lavvan, Inc. and (2) Motion to Estimate Lavvan Intellectual Property Claim [Filed December 14, 2023, Docket No. [907](#)] (the "Scheduling Order").

**Status:** The matter is not going forward at this time.

4. [SEALED] Motion to Estimate Lavvan Intellectual Property Claim [Filed on December 6, 2023, Docket No. 840].

**Response Deadline:** November 10, 2023 at 4:00 p.m. [ET]. The response deadline was extended to December 22, 2023 pursuant to the Scheduling Order.

**Responses Received:**

- a. [SEALED] Lavvan, Inc.'s Preliminary Response to Debtors' Motion to Estimate Lavvan Intellectual Property Claims [Filed December 27, 2023, Docket No. 1013].

**Replies:**

- a. Debtors' Reply in Support of Motion to Estimate Lavvan Intellectual Property Claims Preliminary Statement [Filed January 5, 2024, Docket No. [1097](#)].

**Related Documents:**

- a. [SIGNED] Order Establishing Schedule and Protocols in Connection with (1) Debtors' Objection to Claim Nos. 663 and 666 Filed by Lavvan, Inc. and (2) Motion to Estimate Lavvan Intellectual Property Claim [Filed December 14, 2023, Docket No. [907](#)] (the "Scheduling Order").

**Status:** The matter is not going forward at this time.

5. Motion to Allow Lavvan, Inc. Pursuant to Bankruptcy Rule 3018(a) for Estimation and Temporary Allowance of Claims for Purposes of Voting to Accept or Reject the Plan [Filed January 5, 2024, Docket No. [1095](#)].

**Response Deadline:** January 12, 2024 at 4:00 p.m. prevailing Eastern Time. The Objection deadline was extended to January 17, 2024 at 4:00 p.m. prevailing Eastern Time.

**Responses Received:** None.

**Related Documents:**

- a. Re-Notice of Motion and Hearing Regarding Lavvan, Inc.'s Motion Pursuant to Bankruptcy Rule 3018(a) for Estimation and Temporary Allowance of Claims for Purposes of Voting to Accept or Reject the Plan [Filed January 8, 2024, Docket No. [1103](#)].

**Status:** The matter is not going forward at this time.

## **PLAN CONFIRMATION**

6. Third Amended Joint Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors [Filed January 22, 2024, Docket No. [1170](#)].

**Response Deadline:** January 18, 2024 at 4:00 p.m. prevailing Eastern Time. The Objection deadline was extended for the following parties: January 19, 2024 at 5:00 p.m. ET for John Melo, Lexon Insurance Company and The Broad Institute; January 20, 2024 at 5:00 p.m. ET for DSM-Firmenich; and January 21, 2024 at 5:00 p.m. ET for Givaudan.

## **Responses Received:**

- a. Informal comments from the Texas Comptroller.
- b. Limited Objection of the U.S. Securities and Exchange Commission to Confirmation of the Debtors' Second Amended Joint Plan of Reorganization [Filed January 17, 2024, Docket No. [1150](#)].
- c. Objection of Andrew E. Roth, an Amyris Shareholder, to Confirmation of the Debtors' Second Amended Joint Plan of Reorganization [Filed January 18, 2024, Docket No. [1152](#)].
- d. Objection of the United States Trustee to Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization [Filed January 18, 2024, Docket No. [1154](#)].
- e. Response and Reservation of Rights of Disruptional Ltd. and Vest Beauty Labs LP Regarding Debtors' Second Amended Joint Chapter 11 Plan of Reorganization [Filed January 18, 2024, Docket No. [1155](#)].
- f. Objection of 10-11 Clerkenwell Green Limited to Confirmation of Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, as Modified [Filed January 18, 2024, Docket No. [1156](#)].
- g. Objection and Reservation of Rights of Lexon Insurance Company to the Debtors' Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, as Modified [Filed January 18, 2024, Docket No. [1157](#)].
- h. Preliminary Limited Objection of John Melo to Confirmation of Second Amended Joint Chapter 11 Plan of Reorganization, Reservation of Rights, and Joinder [Filed January 18, 2024, Docket No. [1158](#)].
- i. Givaudan SA's Objection to the Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, As Modified [Filed January 21, 2024, Docket No. [1168](#)].

## **Briefs in Support of Confirmation, Replies to Confirmation Objections and Declarations filed in Support of Confirmation:**

- a. Declaration of Han Kieftenbeld in Support of Confirmation of Third Amended Joint Chapter 11 plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1174](#)].

- b. Brief of Euagore, LLC and the Foris Prepetition Secured Lenders in Support of Confirmation of Plan of Reorganization of Amyris, Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1175](#)].
- c. Declaration of Philip J. Gund in Support of Confirmation of Third Amended Joint Chapter 11 plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1176](#)].
- d. Declaration of Bradley M. Orelowitz in Support of Confirmation of Third Amended Joint Chapter 11 plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1177](#)].
- e. Declaration of Frank Merola in Support of the Debtors' Third Amended Joint Chapter 11 Plan of Reorganization [Filed January 22, 2024, Docket No. [1178](#)].
- f. [Certification of Ballots] Voting Tabulation Affidavit of Jamilla Dennis of Stretto Regarding the Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, As Modified [Filed January 22, 2024, Docket No. [1179](#)].
- g. Declaration of Oksana Wright in Support of Confirmation of Third Amended Joint Chapter 11 plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1180](#)].
- h. Declaration of Steven J. Fleming in Support of Confirmation of Third Amended Joint Chapter 11 plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1181](#)].
- i. Debtors' Memorandum of Law in Support of Confirmation of Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1182](#)].
- j. [Debtors'] Omnibus Reply in Support Confirmation of Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors under Chapter 11 of the Bankruptcy Code [Filed January 22, 2024, Docket No. [1187](#)].
- k. The Official Committee of Unsecured Creditors' Statement in Support of the Debtors' Third Amended Joint Chapter 11 Plan of Reorganization [Filed January 22, 2024, Docket No. [1189](#)].
- l. Declaration of Elizabeth Hu in Support of The Official Committee of Unsecured Creditors' Statement in Support of the Debtors' Third Amended Joint Chapter 11 Plan of Reorganization [Filed January 22, 2024, Docket No. [1190](#)].

**Witness and Exhibit Lists:**

- a. Debtors' Witness and Exhibit List For Hearing on January 24, 2024 At 10:00 A.M. ET [Filed January 22, 2024, Docket No. [1186](#)].
- b. Ad Hoc Noteholder Group's Witness and Exhibit List for Hearing on January 24, 2024 at 10:00 a.m. ET [Filed January 22, 2024, Docket No. [1191](#)].
- c. The Official Committee of Unsecured Creditors' Witness and Exhibit List For Hearing on January 24, 2024 At 10:00 A.M. Prevailing Eastern Time [Filed January 22, 2024, Docket No. [1192](#)].

**Related Documents:**

- a. Joint Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, as Modified [Filed October 12, 2023, Docket No. [523](#)].
- b. Notice of Filing of Clean and Blackline Versions of: (A) First Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors; and (B) First Amended Disclosure Statement With Respect to Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors [Filed December 1, 2023, Docket No. [809](#)].
- c. Notice of Filing of Clean and Blackline Versions of: (A) Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors; and (B) Second Amended Disclosure Statement With Respect to Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors [Filed December 6, 2023, Docket No. [826](#)].
- d. [SIGNED] Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution of Solicitation Materials; (C) Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots and (E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed December 13, 2023, Docket No. [897](#)].
- e. Notice of Confirmation Hearing /Notice of (A) Hearing to Consider Confirmation of Debtors' Chapter 11 Plan; (B) Deadline for Voting to Accept or Reject Plan; (C) Debtors' Releases and Third-Party Release; (D) Deadlines Regarding Third-Party Release Opt Out Election; and (E) Related Matters [Filed December 18, 2024, Docket No. [946](#)].
- f. Plan Supplement for the Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, as Modified [Filed January 9, 2024, Docket No. [1112](#)].

- g. Notice of Filing Redline to Third Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors [Filed January 22, 2024, Docket No. [1172](#)].
- h. Notice of Filing Proposed Confirmation Order [Filed January 22, 2024, Docket No. [1173](#)].
- i. Notice of Filing First Amended Plan Supplement for the Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, as Modified [Filed January 22, 2024, Docket No. [1193](#)].

**ADDITIONAL DOCUMENTS:**

- a. Supplemental Declaration of Glenn F. Ostrager in Support of the Objection of Andrew E. Roth, an Amyris Shareholder, to Confirmation of The Debtors' Second Amended Joint Plan of Reorganization [Filed January 23, 2024, Docket No. [1197](#)].
- b. Andrew E. Roth's Witness and Exhibit List for the Hearing on January 24, 2024 at 10:00 A.M. ET [Filed January 23, 2024, Docket No. [1198](#)].
- c. [Certification of Ballots] Voting Tabulation Affidavit of Jamilla Dennis of Stretto Regarding the Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors, As Modified [Filed January 23, 2024, Docket No. [1199](#)].
- d. Third Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. And Its Affiliated Debtors, As Modified [Filed January 23, 2024, Docket No. [1200](#)].
- e. Debtors' Amended Witness and Exhibit List for Hearing on January 24, 2024 at 10:00 A.M. ET [Filed January 23, 2024, Docket No. [1201](#)].
- f. Notice of Filing Redline to Modified Third Amended Plan of Reorganization of Amyris, Inc. and its Affiliated Debtors [Filed January 23, 2024, Docket No. [1202](#)].
- g. Notice of Filing of Revised Confirmation Order [Filed January 23, 2024, Docket No. [1203](#)].
- h. Supplemental Declaration of Philip J. Gund in Support of Confirmation of Third Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Filed January 23, 2024, Docket No. [1204](#)].
- i. Notice of Filing Second Amended Plan Supplement for the Third Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtor [Filed January 23, 2024, Docket No. [1205](#)].

**Status:** The matter will go forward for confirmation of the Plan.

Dated: January 24, 2024

**PACHULSKI STANG ZIEHL & JONES LLP**

*/s/ James E. O'Neill*

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